

REMARKS

Claims 1-4 and 6-7 were presented for examination, of which claim 1 is independent. In the Communication pursuant to *Ex Parte Quayle*, the Examiner allows claims 2-4, 6, and 7, and deems that claim 1 would be allowable if amended to overcome two objections.

First, the Examiner indicates that the “cross members” recited in line 17 of claim 1 should properly be “floor frames,” for consistency with the Specification and Figures. The Examiner states that the width-direction brackets described in the specification are not attached to the cross members, but rather are connected to the floor frames. Based on the description of the brackets 172 on pages 11-12 of the English Specification and Figures 4-5, the Examiner appears to be correct. Accordingly, Applicants amend claim 1 to recite *a second pair of brackets sandwiching the fuel cell unit in the width direction of the vehicle, attached to the ~~bottom~~ surfaces of the cross members floor frames, and attaching the fuel cell unit to the pair of floor frames.*

Second, the Examiner objects to the phrase *wherein the first pair of brackets and the second pair of brackets are configured to be a flange extending from the under cover*. The Examiner indicates that the number of the first noun (“the first of brackets and the second pair of brackets,” which is a plural noun) does not agree with the number of the second noun (“a flange,” which is singular). Accordingly, Applicants amend claim 1 to recite *wherein each of the first pair of brackets and the second pair of brackets ~~are~~is configured to be a flange extending from the under cover*.

Applicants believe that these amendments address the Examiner’s concerns and place the pending claims in condition for allowance. If the Examiner deems that further issues persist, the Examiner is invited to contact Applicants’ attorney at the phone number provided at the end of this Response.

CONCLUSION

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080, under Order No. SIW-103USRCE. In the event that a petition for an extension of time is required to be submitted herewith, and the requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. § 1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized to be charged to the aforementioned Deposit Account.

Dated: September 22, 2010

Respectfully submitted,

Electronic signature: /Anthony A. Laurentano/
Anthony A. Laurentano
Registration No.: 38,220
LAHIVE & COCKFIELD, LLP
One Post Office Square
Boston, Massachusetts 02109-2127
(617) 227-7400
(617) 742-4214 (Fax)
Attorney/Agent For Applicant